

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PABLO J. MARTINEZ-BARREN,	:	CIVIL ACTION NO. 1:06-CV-0661
Plaintiff	:	
	:	(Judge Conner)
v.	:	
	:	
INGRAM MICRO, INC.,	:	
Defendant	:	

ORDER

AND NOW, this 29th day of August, 2006, upon consideration of the motion for leave to file a second amended complaint (Doc. 15),¹ and it appearing that defendant has filed an answer to the first amended complaint, see FED. R. CIV. P. 15(a) (providing that after a responsive pleading has been served, “a party may amend the party’s pleading only by leave of court or by written consent of the adverse party”); see also id. (“[L]eave shall be freely given when justice so requires.”), and that the proposed second amended complaint merely removes claims against defendant, it is hereby ORDERED that:

1. The motion to amend the complaint (Doc. 15) is GRANTED.
2. The Clerk of Court is directed to remove the proposed document (Doc. 15, Ex. 1) from the docket and file it as a second amended complaint as of the date of this order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge

¹ Plaintiff filed the instant motion to cure the deficiencies raised in defendant’s motion for sanctions (Doc. 13). However, the proposed second amended complaint does not address all of the issues in the motion for sanctions. Accordingly, the court will defer ruling on the motion for sanctions pending briefing on the motion.